

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Robert Fauley,)	
)	
Plaitniff,)	
)	
vs.)	Civil Action No. 6:05-3439
)	
Jo Anne B. Barnhart,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

ORDER

Plaintiff Robert Fauley brought this action pursuant to 42 U.S.C. § 405(g) on December 9, 2005, to obtain judicial review of the final decision of Defendant Jo Anne B. Barnhart, Commissioner of Social Security. (Doc. #1). Plaintiff filed his brief on May 31, 2006. (Doc. #11). Defendant filed her brief on July 10, 2006. (Doc. #12). On July 12, 2006, Plaintiff filed his response brief. (Doc. #13). This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge William M. Cato on November 28, 2006, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 83.VII.02 (D.S.C.). (Doc. #14). In the Report, the Magistrate Judge concludes “[t]he record does not contain substantial evidence supporting the Commissioner’s decision denying the plaintiff disability benefits” and recommends the Commissioner’s decision “be reversed pursuant to sentence four of 42 U.S.C. § 405(g) and that the plaintiff be awarded benefits.” Id. No party to this action filed any objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report to which a specific objection is registered, and may accept, reject, or modify, in

whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. Again, no objections have been filed to the Report. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report be **ACCEPTED**, the Commissioner's decision be **REVERSED** pursuant to sentence four of 42 U.S.C. § 405(g), and the Plaintiff be awarded benefits.

IT IS SO ORDERED.

S/ Terry L. Wooten

Terry L. Wooten
United States District Judge

March 21, 2007
Florence, South Carolina